

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

XR COMMUNICATIONS, LLC, dba
VIVATO TECHNOLOGIES,
Plaintiff,

v.

AT&T SERVICES INC.; AT&T MOBILITY
LLC; and AT&T CORP.,
Defendants,

NOKIA OF AMERICA CORPORATION and
ERICSSON INC.,
Intervenors.

Case No. 2:23-cv-00202-JRG-RSP
(Lead Case)

JURY TRIAL DEMANDED

**VIVATO'S UNOPPOSED MOTION FOR LEAVE FOR VIVATO TO FILE A
CORRECTED OPPOSITION TO [DKT. 160] DEFENDANTS/INTERVENOR
ERICSSON'S MOTION FOR PARTIAL SUMMARY JUDGMENT OF NO LITERAL
INFRINGEMENT FOR THE '369 PATENT**

Plaintiff XR Communications, LLC dba Vivato Technologies (“Vivato”) respectfully moves for leave to file a Corrected Opposition to Defendants/Intervenor Ericsson’s Motion for Partial Summary Judgment of No Literal Infringement for the ’369 Patent.

On June 18, 2025, Vivato filed its Opposition to Defendants/Intervenor Ericsson’s Motion for Partial Summary Judgment of No Literal Infringement for the ’369 Patent at Dkt. 190, inadvertently exceeding the page limits set for non-dispositive motion under the local rules. On June 19, 2025, Defendants/Intervenors notified Vivato of Vivato’s mistake and asked that Vivato “file a corrected opposition that complies with the page limit by close of business today.”

Defendants/Intervenors informed Vivato on June 19, 2025 that they do not oppose this Motion for Leave.

Vivato now respectfully seeks leave to file a corrected opposition that complies with the page limits by the close of business today.

Dated. June 19, 2025

Respectfully submitted,

/s/ Reza Mirzaie

Marc Fenster (CA SBN 181067)
Reza Mirzaie (CA SBN 246953)
Adam Hoffman (CA SBN 218740)
Neil A. Rubin (CA SBN 250761)
James Pickens (CA SBN 307474)
Christian W. Conkle (CA SBN 306374)
Philip Wang (CA SBN 262239)
Minna Y. Jay (CA SBN 305941)
Paul Kroeger (CA SBN 229074)
RUSS AUGUST & KABAT
12424 Wilshire Blvd. 12th Floor
Los Angeles, CA 90025
Telephone: 310-826-7474
rak_vivato@raklaw.com

Andrea L. Fair (TX SBN 24078488)
MILLER FAIR HENRY PLLC
1507 Bill Owens Parkway
Longview, TX 75604

Telephone: 903-757-6400
andrea@millerfairhenry.com

*Attorneys for Plaintiff,
XR Communications, LLC,
dba Vivato Technologies*

CERTIFICATE OF SERVICE

I hereby certify that on June 19, 2025, I electronically filed the foregoing document with the Clerk of the Court for the Eastern District of Texas, and served counsel of record with a copy via electronic email.

/s/ Reza Mirzaie
Reza Mirzaie